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AUG 20 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *TH* DEPUTY

UNITED STATES OF AMERICA

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 87 48

UNITED STATES OF AMERICA

) Magistrate Case No.:

Plaintiff,

) COMPLAINT FOR VIOLATION OF

v.

Lisandro ESCALERA Saucedo

) Title 8, U.S.C., Sec., 1326

Defendant.

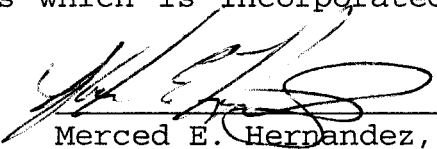
) Attempted Entry after Being

) Ordered Deported/Removed

The undersigned complainant, being duly sworn, states:

On August 19, 2008, within the Southern District of California, the defendant Lisandro ESCALERA Saucedo, an alien, who previously had been excluded, deported and removed from the United States to Mexico, attempted to enter the United States with the purpose, i.e., conscious desire, to enter the United States at the Calexico Port of Entry without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts which is incorporated herein by reference.


Merced E. Hernandez, CBP
Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS DATES 20TH DAY OF August, 2008.


Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Lisandro ESCALERA Saucedo

4 STATEMENT OF FACTS

5 The complainant, states that this complaint is based upon
6 the arrest reports of the apprehending officers and the
7 investigation report submitted by Customs Border Protection
8 Enforcement Officer Merced E. Hernandez.

9 On August 19, 2008, at approximately 04:30 P.M., the
10 defendant Lisandro ESCALERA Saucedo arrived at the Calexico Port
11 of Entry via pedestrian primary lanes. Customs Border Protection
12 Officer (CBPO) Isabel Kierepka inspected the defendant at the
13 time he applied for entry into the United States. The defendant
14 presented a valid DSP-150 laser visa card. CBPO Isabel Kierepka
15 suspected the defendant was an imposter and thus referred the
16 defendant to pedestrian secondary office for further inspection.

17 Lisandro ESCALERA Saucedo was escorted to the Port
18 Enforcement Team office for further investigation. At the Port
19 Enforcement Team CBP Enforcement Officer Merced E. Hernandez
20 conducted record checks revealing prior deportation from an
21 immigration judge. Records also revealed prior incarceration.
22 Records confirmed that Lisandro ESCALERA Saucedo is an alien, a
23 native and citizen of Mexico with no legal documents to enter
24 into or be in the United States. Lisandro ESCALERA Saucedo was
25 advised of his Miranda warnings in the Spanish language to which
26 he said he understood and would answer questions without an
27 attorney present.

28 Lisandro ESCALERA Saucedo stated that he is a citizen and
native of Mexico with no legal entry documents to enter, reside,
or pass through the United States. Lisandro ESCALERA Saucedo
stated that he had not applied for or obtained the authorization
of the Attorney General of the United States or the Secretary of
the Department of Homeland Security to reapply for admission to
enter the United States. Lisandro ESCALERA Saucedo admitted to
being previously deported by an Immigration Judge. Lisandro

1 ESCALERA Saucedo stated that he wanted to go to Fresno, Ca. to
2 find work and see his four children.
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